

**CITY COUNCIL
ATLANTA, GEORGIA**

A RESOLUTION

BY COUNCILMEMBER NATALYN MOSBY ARCHIBONG

02-R-1635

**A RESOLUTION AUTHORIZING THE MAYOR OR HER
DESIGNEE TO EXECUTE AND DELIVER TO FULTON
COUNTY, GEORGIA AN ESTOPPEL LETTER
CONCERNING THAT CERTAIN PROPERTY LOCATED
AT 410 FLAT SHOALS ROAD, S.E. AND AN
OUTSTANDING WATER SERVICES BILL INCURRED BY
A TENANT OF THE PROPERTY IN ORDER TO
FACILITATE A LAND SWAP WITH THE COUNTY AND
THE CONSTRUCTION OF THE EAST ATLANTA
LIBRARY; AND FOR OTHER PURPOSES.**

WHEREAS, Jim Buzbee is the owner of a parcel of land (the "Church Property") known as 410 Flat Shoals Road, S.E. that is leased as a church; and

WHEREAS, the tenant of the Church Property has incurred an approximate \$11,000 water bill in connection with water services provided by the City to the Church Property; and

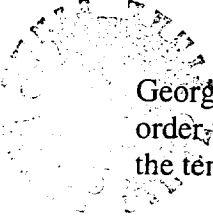
WHEREAS, Fulton County, Georgia (the "County") is the owner of another parcel of land (the "Swap Property") that it is willing to exchange for the Church Property in order to facilitate the construction of the East Atlanta Library at the corner of McPherson and Flat Shoals Road; and

WHEREAS, the County has expressed concern that the City will exercise certain rights it may have under Georgia law and the City's Code of Ordinances to place a lien on the Church Property in order to satisfy the \$11,000 water bill of the tenant; and

WHEREAS, the County has requested that the City issue to it, in order to facilitate the exchange of the Church Property for the Swap Property and alleviate the County's concerns, an estoppel letter pursuant to which the City agrees that it will not exercise against the Church Property any lien rights the City may have under Georgia law and the City's Code of Ordinances to satisfy payment of the outstanding water bill; and

WHEREAS, the City has determined that it is desirable and in its best interests to issue the estoppel letter to facilitate the exchange of the Church Property for the Swap Property and the construction of the East Atlanta Library;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor, the Director of the Bureau of Purchasing and Real Estate or the Commissioner of the Department of Water, or any one of them, are authorized, on behalf of the City, to issue to Fulton County, Georgia an estoppel letter indicating that the City will not exercise any rights it may have under



Georgia law or the City's Code of Ordinances to place a lien upon the Church Property in order to satisfy payment of the outstanding approximately \$11,000 water bill incurred by the tenant of that property;

BE IT FURTHER RESOLVED, that the issuance of the estoppel letter to Fulton County, Georgia will not affect any other rights the City may have to directly seek collection of the outstanding water bill from the tenant of the Church Property;

BE IT FURTHER RESOLVED, that the estoppel letter will not be binding upon the City until it has been executed by the Mayor or her designee and delivered to Fulton County, Georgia.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

SEP 16, 2002
SEP 24, 2002

RCS# 4029
9/16/02
5:50 PM

Atlanta City Council

Regular Session

02-R-1635

Estoppel Letter Re. Property at 410
Flat Shoals Rd., SE Re. Land Swap
ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 1
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	E Martin	B Norwood
Y Young	NV Shook	Y Maddox	Y Willis
Y Winslow	NV Muller	Y Boazman	NV Woolard

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(Do Not Write Above This Line)

A RESOLUTION BY COUNCILMEMBER
NATALYN MOSFY ARCHIBONG

AUTHORIZING THE MAYOR OR HER
DESIGNEE TO EXECUTE AND DELIVER TO
FULTON COUNTY, GEORGIA AN ESTOPPEL
LETTER CONCERNING THAT CERTAIN
PROPERTY LOCATED AT 410 FLAT SHOALS
ROAD, SE AND AN OUTSTANDING WATER
SERVICES BILL INCURRED BY A TENANT OF
THE PROPERTY IN ORDER TO FACILITATE A
LAND SWAP WITH THE COUNTY AND THE
CONSTRUCTION OF THE EAST ATLANTA
LIBRARY; AND FOR OTHER PURPOSES.

ADOPTED BY

SEP 16 2002

Adopted
9/16/02

COUNCIL

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED
SEP 16 2002

CITY COUNCIL PRESIDENT

Calvin W. Boyd

CERTIFIED
SEP 16 2002

Paul Douglas Johnson
MAYOR

MAYOR'S ACTION

CERTIFIED
SEP 16 2002
Paul Douglas Johnson
MAYOR